

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA, :
Plaintiff,
vs. : Case No. 2:24-mj-578

:
CODY LAYNE PRATER, : MAGISTRATE JUDGE DEAVERS
Defendant. :
:

**UNOPPOSED MOTION FOR EXTENSION OF TIME DURING WHICH
INDICTMENT/INFORMATION MUST BE FILED**

Now comes the Defendant, through undersigned counsel and move this Court for an order extending the time for the return of an Indictment or Information pursuant to 18 U.S.C. § 3161(b) for 60 days from January 9, 2025 to March 14, 2025. The defendant, Cody Prater is aware of his right to a timely filing of an Indictment or Information, afforded under 18 U.S.C. § 3161(b), and hereby waives those rights for the purposes of this motion. The parties believe this continuance would best serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

The United States has agreed to turn over pre-indictment discovery for review by defense counsel in an effort to see if the parties can resolve these charges with a pre-indictment plea offer. The government's investigation is currently ongoing. Mr. Prater faces a mandatory minimum sentence of 15 years in prison on the current charges.

Additional time is needed for counsel to be able to receive and review the discovery materials with Mr. Prater and determine if a pre-indictment resolution can be reached in this case.

This continuance of the time for the filing of an Indictment or Information would best serve the interest of justice and would not impinge on the interest of the public in a speedy trial, as pre-trial resolution will conserve significant resources by eliminating the need to expend grand jury and potentially trial jury time. Thus, this time would be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

For these reasons, the parties request an extension of the time until March 14, 2025 within which an Indictment or Information may be filed in this case.

Respectfully submitted,

JOSEPH MEDICI
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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Attorney for Defendant
Cody Prater

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

/s/ Stacey MacDonald
Stacey MacDonald (WA 35394)
Assistant Federal Public Defender

